

D. INCAPACITY CASE MANAGEMENT

Effective August 1, 2001

WAC 388-448-0130 Treatment and referral requirements.

We refer you to medical providers for available medical treatment or other agencies for treatment, rehabilitation or work activities when we decide it will improve your ability to be gainfully employed or reduce your need for GAU. **"Available medical treatment"** means medical, surgical, chemical dependency, or mental health services, or a combination of them.

- (1) When you are first approved and at each review determination, we give you written information regarding your treatment requirements.
- (2) You must accept and follow through on required medical treatment and referrals to other agencies and services, including applying for SSI, unless you have good cause for not doing so. Examples of good cause are found in WAC 388-448-0140.
- (3) We may require you to undergo alcohol or drug treatment before reviewing your eligibility for GAU.
- (4) You may request a fair hearing if you disagree with the treatment or referral requirements we set for you (see WAC 388-458-0040).

Effective August 1, 2001

WAC 388-448-0140 Good cause for refusing medical treatment or other agency referrals.

We may determine that you have good cause for refusing required treatment or referrals to other agencies. We may require you to provide proof to support your good cause claim. Valid reasons for refusing treatment and other agency referrals include, but are not limited to, the following:

- (1) Valid reasons for refusing treatment referrals:
 - (a) You are so fearful of the treatment that your fear could interfere with the treatment or reduce its benefits;

- (b) Treatment could cause further limitations or loss of a function or an organ and you are not willing to take that risk;
 - (c) You practice an organized religion that prohibits treatment; or
 - (d) Treatment is not available without cost to you.
- (2) Valid reasons for refusing treatment or other agency referrals:
- (a) We did not give you enough information about the requirement;
 - (b) You did not receive written notice of the requirement;
 - (c) The requirement was made in error;
 - (d) You are temporarily unable to participate because of documented interference, or
 - (e) Your medical condition or limitations are consistent with the definition of necessary supplemental accommodation (NSA), WAC 388-472-0020, and your condition or limitations contributed to your refusal, per WAC 388-472-0050.

WAC 388-448-0150 Penalty for refusing medical treatment or other agency referrals.

- (1) If you refuse required treatment or agency referral without having good cause, we will stop your GAU benefits.
- (2) We stop your GAU benefits until you agree to accept and pursue the required treatment service or referral.
- (3) If you reapply, you must wait for a penalty period to pass before you begin getting benefits. The penalty is based on how often you have refused:

| Refusal | Penalty |
|--------------------------|-----------|
| First | One week |
| Second within six months | One month |

| | |
|--------------------------------------|------------|
| Third and subsequent within one year | Two months |
|--------------------------------------|------------|

WORKER RESPONSIBILITIES**GAU Sanctions**

Terminate assistance when a client fails to satisfactorily participate in treatment or agency referrals. If the client reapplies prior to termination the period of ineligibility begins the day following the day of termination. If the client reapplies after the date of termination the period of ineligibility begins the date of re-application.